

Camden County Board of Commissioners

Regular Meeting

March 16, 2009

7:00 P.M.

**Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, March 16, 2009 at 7:00 p.m. in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Philip S. Faison

Vice Chairman Melvin J. Jeralds

Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

Also attending was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and County Attorney John Morrison.

Chairman Philip Faison called the meeting to order and called upon Vice Chairman Melvin Jeralds to give the invocation and lead those present in the Pledge of Allegiance.

PRESENTATION - Knights of Columbus

Faithful Navigator of 4th Degree Knights of Columbus Walter Smith, Knights of Columbus members Jason Martin, and Jack Ireland attended the meeting to honor and present the *Patriotic Service Award* to Camden County. Mr. Smith stated that the principal of their order is patriotism and they recognize an organization or individual every month that exemplifies patriotism. They chose Camden County because of the many years of supporting the annual Veterans Day Flag Raising Ceremony held on the Courthouse lawn.

PRESENTATION - Healthy Carolinians

Health Promotion Coordinator with Albemarle Regional Health Services and Chair of Healthy Carolinians of the Albemarle Amy Underhill, and Healthy Carolinians Coordinator Ann Roach gave an update on the Healthy Carolinians program and programs for obesity in the Albemarle area. Mrs. Underhill thanked Camden County for providing funding in 2008 to help the health needs in the community.

Public Comments

Lynn Merritt, 180 Billet's Bridge Road, spoke in opposition of Ordinance No. 2009-01-01 – An Ordinance of Camden County Homeowner Certification.

Roy Heath, 1450 South 343, spoke in opposition of Ordinance No. 2009-01-01 – An Ordinance of Camden County Homeowner Certification.

Clayton Dale Riggs, spoke in opposition of Ordinance No. 2009-01-01 – An Ordinance of Camden County Homeowner Certification.

Kevin Norris, 100 Nosay Road, spoke in opposition of Ordinance No. 2009-01-01 – An Ordinance of Camden County Homeowner Certification.

Consideration of Agenda

Chairman Philip Faison removed *Item 8. County Manager's Report, C. Appointment of Commissioner on Planning Board* and *Item 11. Closed Session* from the agenda

Commissioner Sandy Duckwall made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Commissioner Melvin Jeralds made a motion to approve the consent agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

February 16, 2009 Regular Meeting subject to correction of typographical and technical errors.

March 02, 2009 Regular Meeting subject to correction of typographical and technical errors.

Budget Amendments – 2008-09-BA036, 2008-09-BA037, 2008-09-BA038 and 2008-09-BA039

2008-09-BA036
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the Special Capital Reserve Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
716600-549100	Noblitt Property Purchase	\$ 6,650.00	
716600-549200	Hyde/Morrisette	\$ 1,400.00	
716600-549300	Morrisette	\$11,324.00	
716600-599900	Fund Reserves		\$19,374.00

Additional costs of the real estate transactions
This will result in a decrease of \$0.00 in the Contingency of the General Fund.
Balance in Contingency \$2,725.00 in General Fund
Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 16th day of March, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2008-09-BA037
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the Community Park Trust Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
656130-537000	NC Sales Tax	\$1,698.00	
656130-537001	County Sales Tax	\$ 860.00	
Revenues:			
65320720-436700	Sales Tax Refund	\$2,558.00	

Revenue and expense lines needed to be recorded for auditor.
This will result in a decrease of \$0.00 in the Contingency of the General Fund.
Balance in Contingency \$2,725.00 in General Fund
Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 16th day of March, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2008-09-BA038

CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the Park Grant Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
644910-537000	NC Sales Tax	\$4,637.00	
644910-537001	County Sales Tax	\$2,319.00	
Revenues:			
64320720-436700	Sales Tax Refund	\$6,956.00	

Revenue and expense lines needed to be recorded for auditor.
This will result in a decrease of \$0.00 in the Contingency of the General Fund.
Balance in Contingency \$2,725.00 in General Fund
Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 16th day of March, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2008-09-BA039

CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
106200-502000	Salaries	\$1,486.00	
106200-503000	Camp Counselors		\$ 572.00
106200-506000	Health Insurance		\$5,530.00
106200-507100	401K	\$ 74.00	
106200-507000	Local Government Retirement	\$ 74.00	
106200-509000	Workers Compensation		\$ 246.00
106200-510000	Training	\$2,867.00	
106200-532000	Office Supplies	\$ 200.00	
106200-569000	Teen Court		\$1,000.00
106200-570002	Crown Kids	\$ 750.00	
106200-567000	Other Services	\$1,350.00	
106200-545100	Audit Expense		\$ 200.00
106200-531000	Vehicle Supplies		\$ 764.00
106200-513000	Utilities		\$ 300.00
106200-554000	Insurance	\$ 735.00	
106200-533000	Supplies		\$2,216.00
109990-500000	Contingency	\$3,292.00	

Final Budget Revisions for FY09
This will result in a increase of \$3,292.00 in the Contingency of the General Fund.
Balance in Contingency \$6,017.00 in General Fund
Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 16th day of March, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

Tax Releases, Refunds and Pick Ups

Edison Ward	\$117.78	Release	Wrong County	10869
Ivy Bagues	\$279.47	Release	Recombination	10945

Ivy Bogues	\$228.18	Release	Recombination	10946
Paulette Mitchell	\$320.00	Pick Up	Code Enforcement Fee	10947
Frances Wilson	\$3,146.23	Pick Up	Roll Back Tax	10949
DCFS Trust	\$126.63	Refund	Turned in Plates	10928
BB&T Leasing	-\$202.55	Release	Equip Disposed	10993
	-\$202.55	Adjustment		
Larry Amaker	-\$512.06	Release	Correction	10935
	-\$512.06	Adjustment		
Faith McGuire	-\$180.27	Release	Does not own	10940
	-\$180.27	Adjustment		
Charlene Cartwright	\$241.86	Release	Calculated Incorrect	10983
	\$133.36	Pick Up		
	-\$108.50	Adjustment		
Charlene Cartwright	\$241.86	Release	Calculated Incorrect	10984
	\$133.36	Pick Up		
	-\$108.50	Adjustment		
Mark Hewitt	\$234.06	Release	Calculated incorrect	10930
	\$129.06	Pick Up		
	-\$105.00	Adjustment		
Mark Hewitt	\$235.31	Release	Calculated incorrect	10948
	\$130.31	Pick Up		
	-\$105.00	Adjustment		

Tax Collection Report – February 2009 in the amount of \$168,637.08.

Refunds to be Issued by Finance Office in the amount of \$217.00.

Budget Amendment – Camden County Board of Education

Budget Amendment
Camden County Schools Administrative Unit

Capital Outlay Fund

The Camden County Board of Education at a meeting on the 12th day of February, 2009, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2009.

Code Number	Description of Code	Amount	
		Increase	Decrease
9100	Category I Projects	18,305.00	
9200	Category II Projects	32,578.00	
9300	Category III Projects	236,526.00	
Explanation: Revenue: \$87,504.00 (3 rd installment on lease- DPI), Appropriate FB \$199,905.00			
	Total Appropriation in Current Budget	\$	150,000.00
	Amount of Increase / (Decrease) of		
	Above Amendment		287,409.00
	Total Appropriation in Current Amended		
	Budget		437,409.00

Passed by majority vote of the Board of Education of Camden County Schools on the 12 th day of February, 2009.	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes in the minutes of said Board, this 16th day of March 2009.
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Budget Amendment
Camden County Schools Administrative Unit

Local Current Expense Fund

The Camden County Board of Education at a meeting on the 12th day of February, 2009, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2009.

Code Number	Description of Code	Amount	
		Increase	Decrease
5100	Regular Curricular Services		34,313.00
5200	Special Curricular Services		8,801.00
5300	Alternative Programs & Services		8,201.00
5400	School Leadership Services	11,517.00	
5500	Co-Curricular Services	157.00	
5800	School Based Support Services		5,452.00
6100	Support & Development Serv.		53,701.00
6400	Technology Support Services		252.00
6500	Operational Support Services	167,445.00	
6600	Finance & Human Resource Serv	7,112.00	
6700	Accountability Services	990.00	
6900	Policy, Leadership Support Serv.	30,008.00	
7100	Community Services	3,104.00	
7200	Nutrition Services	2,027.00	
8100	Pymts to Other Gov't Sources		20,000.00
Explanation:			
	Total Appropriation in Current Budget	\$ 2,123,407.08	
	Amount of Increase /Decrease of		
	Above Amendment		91,640.00
	Total Appropriation in Current Amended		
	Budget	\$ 2,215,047.08	

Passed by majority vote of the Board of Education of Camden County on the 12 th day of February 2009.	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this 16th day of March 2009.
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Resolution No. 2009-03-03 – Declaring the Intent To Reimburse Expenditures – Camden County Water Supply System Upgrade

Resolution No. 2009-03-03

A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
DECLARING THE INTENT TO REIMBURSE EXPENDITURES

WHEREAS, the Board has been advised of the desirability of adopting a resolution, as provided under federal tax law, to facilitate the County's using financing proceeds to restore the County's funds when the County makes capital expenditures prior to closing on project financing;

BE IT RESOLVED by Camden County as follows:

1. The project is the **Camden County Water Supply System Upgrade**.
2. The project is to be financed and the currently expected type of financing is American Recovery and Reinvestment Act of 2009 as administered through the North Carolina Drinking Water State Revolving Fund. The currently expected maximum amount of the obligations to be issued or contracted for the project is \$2,576,520.

3. Funds that have been advanced, or may be advanced from the general fund or from other funds for project costs are intended to be reimbursed from the financing proceeds.

Adopted this 16TH day of March, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

(SEAL)

Scattered Site Housing Project - Project Ordinance No. 2009-03-02

Ordinance No. 2009-03-02

PROJECT ORDINANCE

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following addition is made to the project budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the Scattered House Fund, the revenues and expenditures are to be added as follows

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
145010-598110	Hook-Ups	\$32,179.00	
145010-598303	Administration/Planning	\$ 5,110.00	
Revenues:			
14360501-434862	Grant 08-C-1844	\$37,289.00	

CDBG Grant – Infrastructure hook-up.

Section 2. Copies of this addition shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 16th day of March, 2009.

Clerk to Board of Commissioners Chairman, Board of Commissioners

Volunteer Form – Barbara McCarthy

NC Department of Transportation – Transportation Improvement Plan Budget Cuts

Old Business - Consideration of Ordinance No. 2009-01-01 – An Ordinance of Camden County Homeowner Certification Ordinance

A public hearing was held on February 16, 2009 and comments were received from the public.

The trade’s code compliance ordinance will allow testing of any home owner who would like to attempt to install electrical, plumbing, or HVAC systems in new construction, remodels or rehabs.

The property shall be owned by the homeowner, and shall be lived in by the homeowner for minimum of (12) months after completion and Certificate of Occupancy awarded.

This is an attempt to stop unlicensed people from doing work that requires a NC Trade License. There will be a twenty five (25) question test given in each trade to ascertain if the owner has the ability and knowledge to perform to minimum State Building Code. The ability of the owner to act as their own General Contractor will not be affected by this ordinance as North Carolina State Statutes already covers that.

Chairman Philip Faison called for a motion.

The proposition for Ordinance No. 2009-01-01 – An Ordinance of Camden County Homeowner Certification, having no motion in support, the ordinance fails.

Consideration of Ordinance No. 2009-02-01 – An Ordinance Amending the Camden County Code of Ordinances – Privilege License Tax

Per the Board of Commissioners direction, a Business License Ordinance was prepared based on a model ordinance developed through the School of Government. The County Attorney has reviewed the draft and suggested a few minor modifications, which have been included. It appears from research and discussions with the School of Government that approval of the Ordinance does not require a public hearing.

A public hearing was held on February 16, 2009 and comments were received from the public.

Chairman Philip Faison called for a motion.

The proposition for Ordinance No. 2009-02-01 – An Ordinance Amending the Camden County Code of Ordinances – Privilege License Tax, having no motion in support, the ordinance fails.

Consideration of Ordinance No. 2009-02-02 - An Ordinance Amending the Camden County Code of Ordinances – Article 151 Drainage

A public hearing was held on February 16, 2009 and comments were received from the public.

Commissioner Sandy Duckwall made a motion to amend the subdivision ordinance to prevent the duplication or similar naming of subdivisions. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Michael McLain made a motion to approve the recommendation of the Planning Board to amend Article 151.400 to authorize registered North Carolina Surveyors to perform stormwater drainage designs incidental to a subdivision. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2009-02-02 reads as follows:

Ordinance No. 2009-02-02

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Article 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions

to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III. Amend Section 151 as amended of the Camden County Code which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.231 GENERAL.

(E) The name of the subdivision shall not duplicate nor closely approximate the name of an existing subdivision within Camden or Pasquotank County.

§ 151.400 DRAINAGE.

(A) *Stormwater drainage.* Each residential/non residential subdivision or commercial site plan shall provide adequate storm drainage certified by a North Carolina registered engineer or a North Carolina Licensed Surveyor, (with proven experience in stormwater drainage) for all areas in the subdivision. A combination of storage and controlled release of stormwater run-off is required. The release rate of stormwater from all developments shall not exceed the ten-year stormwater run-off from the area in its natural state (post-development vs. pre-development). All free-flowing storm drainage systems shall be designed to accommodate the run-off generated by a ten-year design storm or North Carolina Department of Transportation (NCDOT) standards if more restrictive. The following information must be provided:

- (1) Elevation survey of entire tract with topo lines at one-foot intervals;
- (2) All culvert inverts (including driveway culverts);
- (3) Direction of flows;
- (4) Downstream analysis (cross-sections) of drainage way to outlet (creek stream, river and the like);
- (5) Stormwater storage analysis (storing the differential between the outlet ditch capacity at bank full and the 100-year storm event throughout the proposed development area) and show minimum lot elevations;
- (6) Drainage calculations for drainway design within boundaries of proposed subdivision and off-site, if appropriate;
- (7) Show total pre-development and post-development run-off in CFS (cubic feet per second) volume leaving development area;
- (8) Along all existing drainage ways within proposed development areas, swales (minimum 6:1 side slopes) are preferred over traditional ditches. Maintenance easements the width of the swale shall be centered over the swale.
- (9) If swales are not utilized, then all ditches and canals will require minimum of 30 feet of open space from the top of bank on one side or the other (maintenance area); and
- (10) Developer will be responsible for upgrading drainage system to outlet subject to obtaining permission from all property owners adjacent to the watercourse outlet.

(B) Plans must address maintenance of the drainage system and who will be the responsible party to ensure proper maintenance is performed on the drainage system. The plan will be reviewed and inspected by County Technical Staff members.

Adopted by the Board of Commissioners for the County of Camden this 16th day of March, 2009.

County of Camden

Phillip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

(SEAL)

New Business - Code Enforcement Report

Code Enforcement Officer Aaron Maupin gave a power point presentation regarding code enforcement activity in the county to date.

New Business - FY 2009-2010 Juvenile Crime Prevention Control (JCPC) Program Agreement

JCPC Program Coordinator Charlene Jones reviewed the JCPC Agreement. The Department of Juvenile Justice and Delinquency Prevention Program have offered \$54,639.00 to fund the programs and requires a 20% local match in funds, or \$10,928.00 with a local in kind match of \$8,890.00.

Commissioner Melvin Jeralds made a motion to approve the FY2009-2010 JCPC Agreement. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS

Commissioner Sandy Duckwall made a motion to recess the Board of Commissioners meeting and convene the South Camden Water and Sewer District Board of Directors at 7:38 p.m. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Member Michael McLain made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting at 7:56 p.m. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

Chairman Philip Faison reconvened the Board of Commissioners meeting.

Commissioner's Report

Commissioner Michael McLain gave a report on a recent trip to Washington, DC with Chairman Philip Faison and County Manager Randell Woodruff on the following:

- Meet with the appropriate representatives for discussion regarding OLF.
- Meet with Walter Jones, Richard Burr's staff, Kay Hagan's staff and dropped by Butterfield's office to talk to his staff.
- Meetings went very well with expressing opposition to OLF and still working on lobbying efforts.
- There is a great deal of money available in a variety of different areas. Commissioner McLain stated he looked into grant information for a Fire Station for South Mills. Fire Chief Tommy Banks is working on a grant application. The new stimulus package approves money for a Fire Station.
- There is potential money for water plant build outs and talked with people regarding the stimulus money.
- Tremendous amount of money for broadband high speed internet for rural counties.
- Attended the National Association of County Officers conference.

(1) Night Commissioner Meeting Per Month

Following discussion, Commissioner Sandy Duckwall stated that logistics had to be worked out before the Commissioners made a decision to hold one (1) night meeting a month.

Commissioner Sandy Duckwall made a motion, that in the interim, both meetings on the first and third Mondays of the month, go back to evening meetings. The motion passed with Commissioners Michael McLain, Garry Meiggs, Sandy Duckwall and Chairman Philip Faison voting aye; Commissioner Melvin Jeralds voting no; no Commissioner absent; and no Commissioner not voting.

Quasi-Judicial Hearings Held by Board of Adjustment

County Attorney John Morrison stated that the Board of Commissioners has the right to delegate quasi judicial hearings to the Board of Adjustment and the Board may consider delegating the CAPS appeal to the Board of Adjustment. Attorney Morrison cautioned that the Board will loose control and other people will be making judicial decisions who are not elected. To delegate the CAPS hearings only, the ordinance will require an ordinance amendment that the CAPS appeals will be administered by the Board of Adjustment.

County Attorney John Morrison advised that if it was the consensus of the Board, not to vote on the amendment tonight, but to direct the Planning Department in consultation with the Attorney Morrison's office to draft an ordinance and have it placed on the agenda.

Commissioner Melvin Jeralds spoke in opposition.

Commissioner Sandy Duckwall suggested that the Board can have separate quasi judicial hearings as needed.

No action was taken.

Closed Session

No closed session was held.

Adjournment

Commissioner Sandy Duckwall made a motion to adjourn the Board of Commissioners meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 8:27 p.m.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board